



# UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS  
 UNITED STATES PATENT AND TRADEMARK OFFICE  
 WASHINGTON, D.C. 20231  
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APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/828,069	04/05/2001	Dustin M. Davis	027448.0006

**CONFIRMATION NO. 7258**

## FORMALITIES LETTER



\*OC00000006175038\*

John H. D'Antico  
 Brobeck, Phelger & Harrison LLP  
 4801 Plaza on the Lake  
 Austin, TX 78746

Date Mailed: 06/13/2001

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

### FILED UNDER 37 CFR 1.53(b)

#### *Filing Date Granted*

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.  
*Applicant must submit \$ 355 to complete the basic filing fee and/or file a small entity statement claiming such status (37 CFR 1.27).*
- Total additional claim fee(s) for this application is \$2660.  
 \$2340 for 260 total claims over 20.  \$2700  
 \$320 for 8 independent claims over 3 .
- The oath or declaration is unsigned.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.
- **The balance due by applicant is \$3080.**  
 \$3120

The application is informal since it does not comply with the regulations for the reason(s) indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Substitute drawings in compliance with 37 CFR 1.84 because:
  - drawing sheets do not have the appropriate margin(s) (see 37 CFR 1.84(g)). Each sheet must include a top margin of at least 2.5 cm. (1 inch), a left side margin of at least 2.5 cm. (1 inch), a right side margin of at least 1.5 cm. (5/8 inch), and a bottom margin of at least 1.0 cm. (3/8 inch);

07/26/2001 RHR151 00000116 09828069  
 01 FC:201 355.00 0P  
 02 FC:202 360.00 0P  
 03 FC:203 2340.00 0P  
 04 FC:205 65.00 0P

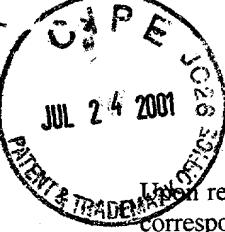
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07/26/2001 RHR151 00000116 09828069  
 01 FC:201  
 02 FC:202  
 03 FC:203  
 04 FC:205

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*A.T.*  
*Customer Service Center*  
*Initial Patent Examination Division (703) 308-1202*

**PART 2 - COPY TO BE RETURNED WITH RESPONSE**



PATENT  
027448.0006

Upon reasonable basis and information and belief, I hereby certify, to the best of my knowledge, that this correspondence, including any papers, letters, or fees referred to as being attached, enclosed, or otherwise affixed herewith, is being deposited with the United States Postal Service on the date set forth below with sufficient postage as First Class Mail in an envelope addressed to Box Missing Parts, Assistant Commissioner for Patents, Washington, D.C. 20231.

Name of Person Certifying Deposit: JOHN H. D'ANTICO

Signature of Person Certifying Deposit: John H. D'Antico

Date of Deposit: July 20, 2001

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application: 09/828,069  
Filing Date: April 5, 2001  
Inventors: Davis et al.  
Title: Method and System for Interacting With A Biometric Verification System  
Examiner: To Be Assigned  
Art Unit: 2171  
Attorney Docket: 027448.0006

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### SUBMISSION OF MISSING PARTS AND RELATED APPLICATION PAPERS & REQUEST FOR CORRECTED FILING RECEIPT

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BOX MISSING PARTS  
Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

**1. Documents Enclosed:**

In response to the **NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION**, which was mailed by the Patent Office on June 13, 2001, enclosed are the following:

- Part 2 of the Notice to File Missing Parts of Nonprovisional Application;
- Corrected Filing Receipt, properly showing twelve (12) independent claims instead of eleven (11) independent claims;

Note 1: Part 2 of the Notice to File Missing Parts of Nonprovisional Application was also marked to reflect this change, and the fees submitted herewith also properly reflect this correction.

Note 2: A corrected formal Filing Receipt from the PTO is hereby requested.

- Fee Transmittal Sheet for FY 2001;
- Transmittal Form;
- Declaration;
- Recordation Form Cover Sheet;
- Assignment;

Note: A Recordation of Notice Assignment was received in error, as the originally submitted assignment was not executed. Appropriate correction is hereby requested. To prevent confusion, this document was not submitted herewith, but is available upon request.

- Grant of Power of Attorney;
- Verified Statement claiming Small Entity Status; and
- Substituted Formal Drawings in accordance with 37 CFR 1.84 (5 figures on 6 sheets).

## 2. REQUEST FOR EXTENSION OF TIME:

The proceedings herein are for a patent application and the provisions of 37 CFR 1.136 apply.

- Applicant(s) petitions for an extension of time under 37 CFR § 1.136 [fees: 37 CFR § 1.17(a)(1)-(5)] for the total number of months checked below:

EXTENSION (months)	FEE FOR SMALL ENTITY	FEE FOR OTHER THAN SMALL ENTITY
<input type="checkbox"/> one month	\$ 55	\$ 110
<input type="checkbox"/> two month	\$ 195	\$ 390
<input type="checkbox"/> three month	\$ 445	\$ 890
<input type="checkbox"/> four month	\$ 695	\$ 1,390
<input type="checkbox"/> five month	\$ 945	\$ 1,890

3. FILING FEES:

<b>BASIC FILING FEE:</b>		\$ 710
Total Claims	$280 - 20 = 260 \times \$18$	\$ 4,680
Independent Claims	$12 - 3 = 9 \times \$80$	\$ 720
Multiple Dependent Claims	\$ 270 (if applicable)	<input type="checkbox"/> \$ 0
Surcharge 37 CFR § 1.16(e)	\$ 130 (if applicable)	<input checked="" type="checkbox"/> \$ 130
<b>TOTAL OF ABOVE CALCULATIONS:</b>		\$ 6,240
Reduction by 1/2 for Filing by Small Entity. Note 37 CFR §§ 1.9, 1.27, 1.28. If applicable, Verified Statement must be attached.	<input checked="" type="checkbox"/>	\$ 3,120
Extension of Time (from above) (if applicable)	<input type="checkbox"/>	\$ 0
Assignment—\$40 (if applicable)	<input checked="" type="checkbox"/>	\$ 40
<b>TOTAL FEES SUBMITTED HEREWITH:</b>		<b>\$ 3,160</b>

4. METHOD OF PAYMENT OF FEES:

Check in the total amount of \$ 3,160 is enclosed to cover the above fee(s).  
 Charge Deposit Account No. **50-1273** in the amount of \$ 0.  
 The Commissioner is authorized to charge Counsel's Deposit Account No. **50-1273** for any fees required under 37 CFR 1.16, 1.17 and 1.445 that are not covered, in whole or in part, by a check enclosed herewith and to credit any overpayments to said Deposit Account **50-1273**.

Respectfully submitted,

BROBECK, PHLEGER & HARRISON LLP

Dated: July 20, 2001

By: John H. D'Antico  
John H. D'Antico  
Reg. No. 45,917

**BROBECK, PHLEGER & HARRISON LLP**

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